

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MINNESOTA**

In re: Baycol Products Litigation

UNITED STATES OF AMERICA *ex rel.*

LAURIE SIMPSON,

Honorable Michael J. Davis
United States District Court Judge

Plaintiff,

v.

MDL No. 1431

Civil. No. 08-5758(MJD)(SER)

BAYER HEALTHCARE
PHARMACEUTICALS, INC.;
BAYER CORP.; and
BAYER A.G.,

Defendants.

JOINT STATUS REPORT

In accordance with the Court’s January 18, 2019 Order (ECF No. 178), Relator Laurie Simpson (“Relator”) and Defendants Bayer Healthcare Pharmaceuticals, Inc., Bayer Corp., and Bayer A.G. (“Bayer”) (together, the “Parties”), respectfully submit the following joint status report.

Since the last status conference on February 26, 2019, Relator has served her Second Request for Production and Bayer has served its Responses and Objections to Relator’s First Request for Production. The Parties have also exchanged draft orders to address: the production of any protected health information in compliance with HIPAA regulations; the production of privileged information under Rule 502(d); and the production of electronically-stored

information (“ESI”). The Parties are continuing to meet and confer about the production of discovery in response to Relator’s First and Second Requests for Production, as well as the entry of the protective orders described above. The Parties do not believe that there are any discovery issues that require the Court’s intervention at this time.

The Parties are available if the Court wishes to discuss the status of discovery at the conference scheduled for March 26, 2019. However, in light of the foregoing, the Parties believe that the status conference may be postponed until April 26, 2019.

Dated: March 19, 2019

Respectfully submitted,

KESSLER TOPAZ
MELTZER & CHECK LLP
/s/ Asher Alavi

Asher Alavi
aalavi@ktmc.com
David Bocian
dbocian@ktmc.com
280 King of Prussia Road
Radnor, PA 19087
484-270-1402

Counsel for Relator Laurie Simpson

Respectfully submitted,

BARTLIT BECK HERMAN
PALENCHAR & SCOTT LLP
/s/ Adam Hoeflich

Philip S. Beck
Adam Hoeflich
54 W. Hubbard Street, Suite 300
Chicago, IL 60603
(312) 494-4400

SIDLEY AUSTIN LLP
/s/ Kristin Graham Koehler

Kristin Graham Koehler (*pro hac vice*)
kkoehler@sidley.com
Ryan C. Morris (*pro hac vice*)
rmorris@sidley.com
Joshua J. Fougere (*pro hac vice*)
jfougere@sidley.com
1501 K Street, N.W.
Washington, D.C. 20005

DORSEY & WHITNEY LLP

/s/ John Marti

John Marti (#0388393)
marti.john@dorsey.com
Alex P. Hontos (#0388355)
hontos.alex@dorsey.com
Caitlin L.D. Hull (#0398394)
hull.caitlin@dorsey.com
50 South Sixth Street, Suite 1500
Minneapolis, MN 55402
Telephone: (612) 340-2600

*Counsel for Defendants Bayer
Corporation, Bayer AG and
Bayer Healthcare Pharmaceuticals, Inc.*

CERTIFICATE OF SERVICE

I certify that on March 19, 2019, the foregoing document was served this day
on all counsel of record via CM/ECF.

/s/ Asher S. Alavi